


So Ordered.



  
Whitman L. Holt  
Bankruptcy Judge

Dated: February 8th, 2021

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF WASHINGTON

In re:  
EASTERDAY RANCHES, INC.,  
Debtor.

Chapter 11  
Case No. 21-00141-WLH11

In re:  
EASTERDAY FARMS, a Washington  
general Partnership  
Debtor.

Chapter 11  
Case No. 21-00176-WLH11

**EX PARTE ORDER (A)  
DIRECTING THE JOINT  
ADMINISTRATION OF THESE  
CASES AND (B) LIMITING  
SCOPE OF NOTICE**

Upon the motion (the "Motion") of Easterday Ranches, Inc. ("Ranches") and Easterday Farms, a Washington general partnership ("Farms"), the above-captioned debtors and debtors-in-possession (collectively, the "Debtors") pursuant to Rules

ORDER DIRECTING JOINT ADMINISTRATION  
AND LIMITING SCOPE OF NOTICE – Page 1

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1 1015(b), 2002, and 9007 of the Federal Rules of Bankruptcy Procedure and Rules  
2 1015-1(b) and 2002-1 of the Local Rules of the United States Bankruptcy Court for  
3 the Eastern District of Washington, for an order (a) authorizing the joint  
4 administration of these cases for procedural purposes only, including the use of  
5 consolidated lists, and that the court maintain one file and one docket for all of the  
6 Cases under the lead case: *In re Easterday Ranches, Inc.*; and (b) approving a Limited  
7 Mailing List and a limited notice procedure, all as more fully set out in the Motion<sup>1</sup>;  
8 and upon consideration of the First Day Declaration; it further appearing that the court  
9 has jurisdiction over this matter; and it further appearing that the relief requested in  
10 the Motion is in the best interests of the Debtors, their estates and their creditors; and  
11 after due deliberation and sufficient cause appearing therefor, it is hereby:

13 ORDERED that the Motion [ECF No. 74] is granted; and it is further

14 ORDERED that the above-captioned chapter 11 cases be, and hereby are,  
15 consolidated for procedural purposes only and shall be jointly administered by the  
16 court under Case No. 21-00141-WLH11, which joint administration shall include the  
17 following:  
18

- 19 (a) use of a single pleadings docket for administrative matters under the lead  
20 case: *In re Easterday Ranches, Inc.*; and the filing, lodging and docketing  
21 of pleadings and orders, where appropriate;  
22 (b) use of a single pleading caption;  
23

24  
25  
26 <sup>1</sup> Capitalized terms used but not otherwise defined herein shall have the meanings  
ascribed to them in the Motion.

- 1 (c) use of a consolidated mailing matrix (or matrices), and the combining of  
2 notices to creditors and other parties-in-interest, where appropriate;  
3 (d) combined scheduling of hearings, where appropriate;  
4 (e) consolidated billing by professionals employed by the estates, subject to  
5 review and apportionment of billing should the need arise; **and**  
6 ~~(f) joint and several liability of the Debtors' estates for general~~  
7 ~~administrative expenses that equally benefit all the estates; and~~  
8  
9 (g) joint handling of other administrative matters that may aid in the  
10 expeditious and economical administration of the Debtors' estates; and  
11 it is further

12 ORDERED that nothing contained in this Order or the Motion shall be deemed  
13 or construed as directing or otherwise effecting a substantive consolidation of the  
14 above-captioned cases; and it is further

15 ORDERED that pleadings in these chapter 11 cases shall be required to bear a  
16 caption substantially in the form of the caption attached hereto as **Exhibit A**; and it is  
17 further  
18

19 ORDERED that a docket entry shall be made in each of the above-captioned  
20 cases substantially as follows:

21 To assist creditors, the Debtors propose that the Clerk of the Court place the  
22 following notation in the docket for each of the Debtors' Chapter 11 Cases:

23  
24 An Order has been entered in this case directing the  
25 procedural consolidation and joint administration of the  
26 chapter 11 cases of Easterday Ranches, Inc. (Case No. 21-  
00141-WLH11) and Easterday Farms, a Washington general  
partnership (Case No. 21-00176-WLH11).

1 Consult the Docket in Case No. 21-00141-WLH11 for all  
2 matters affecting these cases;

3 and it is further

4 ORDERED that the following matters (the “Limited Notice Matters”) shall be  
5 served on a limited service list:

- 6 • any proposed use, sale, or lease of property of the estate pursuant to § 363  
7 and Bankruptcy Rules 2002(a)(2), 4001(b), and 6004;
- 8 • any proposed debtor in possession financing or use of cash collateral;
- 9 • any proposed extension of the Debtors’ exclusive time to file a plan of  
10 reorganization and solicit acceptance thereof (including, without limitation,  
11 the time to file a disclosure statement) pursuant to § 1121 and Bankruptcy  
12 Rule 3016;
- 13 • any proposed approval of a compromise or settlement of a controversy  
14 pursuant to Bankruptcy Rules 2002(a)(3) and 9019 and/or § 363;
- 15 • any proposed abandonment or disposition of property of the estate pursuant  
16 to § 554 and Bankruptcy Rules 6007(a) or (c);
- 17 • any proposed assumption, assumption and assignment or rejection of  
18 contracts or leases pursuant to § 365 and Bankruptcy Rule 6006(a) or (c);  
19 any proposal to prohibit or condition the use, sale or lease of property  
20 pursuant to § 363 or Bankruptcy Rule 4001(a);
- 21 • any proposed objections to claims pursuant to § 502 or Bankruptcy Rules  
22 3002, 3003 or 3007;
- 23 • any verified statement filed by any entity or committee (other than those  
24 appointed pursuant to §§ 1102 or 1104) representing more than one creditor  
25 pursuant to Bankruptcy Rule 2019(a) and any motion filed in respect thereof  
26 pursuant to Bankruptcy Rule 2019(b);
- any proposed application for employment of professionals pursuant to §§  
327, 1103 or 1104 or Bankruptcy Rule 2014;

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- any proposed application for compensation or reimbursement of expenses of professionals, pursuant to §§ 328, 329, 330, or 331 and Bankruptcy Rules 2002(a)(6), 2016, 2017, and 6005; except as provided by other orders of this Court;
- a hearing on any other contested matter in this Case that requires notice to all creditors or equity holders pursuant to the Bankruptcy Code, Bankruptcy Rule 9014, or the LBR; and
- all other pleadings, papers, and requests for relief or other order of the Court, except as limited below, and it is further

ORDERED that that the Limited Notice Matters include all the “first day” motions filed on or around the Petition Date; and it is further

ORDERED that with respect to the Limited Notice Matters, such matters shall be heard on regular notice served by first-class mail upon only: (a) counsel to the Debtors (i) Pachulski Stang Ziehl & Jones LLP, 10100 Santa Monica Blvd., 13<sup>th</sup> Floor, Attn: Richard M. Pachulski, Esq. and Jeffrey W. Dulberg, Esq. and (ii) Bush Kornfeld LLP, 601 Union Street, Suite 5000, Seattle, WA 98101, Attn: Thomas A. Buford, Esq. and Richard B. Keeton, Esq.), (b) the Office of the United States Trustee, 920 W. Riverside Ave., Suite 593, Spokane, WA 99201, Attn: Gary W. Dyer, Esq. (c) the creditors appearing on the list filed in accordance with Bankruptcy Rule 1007(d) by the Debtors unless and until a Committee is appointed and it retains counsel, then in such event, to counsel for the Committee, (d) the United States of America, by service to the (i) Attorney General of the United States Bankruptcy & Collections Unit, 800 Fifth Avenue Suite 2000, Seattle, WA 98104 and the (ii) United States Attorney for the Eastern District of Washington, PO Box 1494, Spokane, WA 99210-1494, and (iii) any department or agency of the United States of America that

1 is affected by the Limited Notice Matter until counsel for the United States makes an  
2 appearance on behalf of that department or agency, and, thereafter on that counsel, (e)  
3 the State of Washington, by service to the Attorney General of Washington at the  
4 address listed in item (f) above, and any department or agency of the State that is  
5 affected by the Limited Notice Matter until counsel for the State makes an appearance  
6 on behalf of that department or agency, and thereafter on that counsel, (g) parties that  
7 file with the Court and serve upon the Debtors requests for notice of all matters in  
8 accordance with Bankruptcy Rule 2002(i) and who expressly request hard copy  
9 service (and absent such request, will receive service electronically, consistent with  
10 LBR 2002-1(b)(3)), (h) all secured creditors, and (i) any party with a pecuniary  
11 interest in the subject matter of the particular Limited Notice Matter or its counsel  
12 (collectively, the “Limited Mailing List”); and it is further  
13

14 ORDERED that, notwithstanding the foregoing, the relief granted herein does  
15 not affect the rights of all creditors to receive notice of the following matters or  
16 proceedings: (i) the date fixed for filing proofs of claim; (ii) the time fixed for filing  
17 objections to any disclosure statement and any hearing to consider approval of any  
18 disclosure statement; (iii) the time fixed for accepting, rejecting, or objecting to  
19 confirmation of a plan or any modification thereof and the hearing thereon; (iv) the  
20 entry of an order confirming a plan; and (v) a hearing regarding the dismissal or  
21 conversion of this Case (the “Complete Notice Matters”); and it is further  
22

23 ORDERED that this Court shall, and hereby does, retain jurisdiction with  
24 respect to all matters arising from or related to the implementation and interpretation  
25 of this Order.  
26

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1 ///End of Order///

2 PRESENTED BY:

3 /s/ Thomas A. Buford

4 THOMAS A. BUFORD, III (WSBA 52969)

5 BUSH KORNFIELD LLP

6 RICHARD M. PACHULSKI (Admitted *Pro Hac Vice*)

7 JEFFREY W. DULBERG (Admitted *Pro Hac Vice*)

8 JASON H. ROSELL (*Pro Hac Vice* Pending)

9 PACHULSKI STANG ZIEHL & JONES LLP

10 *Proposed Attorneys for Debtors and*

11 *Debtors in Possession*

12 \* Change made by court

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**EXHIBIT A**

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF WASHINGTON

In re:

EASTERDAY RANCHES, INC., *et al.*  
Debtors.<sup>1</sup>

Chapter 11

Lead Case No. 21-00141  
Jointly Administered

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<sup>1</sup> The Debtors along with their case numbers are as follows: Easterday Ranches, Inc., (21-00141) and Easterday Farms, a Washington general partnership (21-00176-WLH11).